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~TITLE OF RESEARCH ~

A CRITICAL STUDY OF LAWS RELATING TO JUVENILE JUSTICE IN INDIA – A STUDY

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A CRITICAL STUDY OF LAWS RELATING TO JUVENILE JUSTICE IN INDIA – A STUDY

A SYNOPSIS SUBMITED TO

DOCTOR OF PHILOSOPHY

IN LAW

UNDER THE FACULTY OF HUMAMITIES

BY

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1). INTRODUCTION

"Darkness cannot drive out darkness; only light can do that .Hate can not drive out hate ;only love can do that."

–Martin Luther King, Jr.

Themostimportantaspectofjuvenilejusticeiswhethertotreatthejuvenileswithpunishment or to provide for rehabilitation of the juvenile. As we know, the sentencing of an individual convicted of a criminal offence is mainly driven by three key considerations which are: retribution (punishment), deterrence and rehabilitation. In the case of juvenile offenders, the principle of rehabilitation is often assigned the greatest weight. If we take a look into the history, in the ancient era the Roman law, provided the principle of *"Doli incapax"* and protected young children from prosecution owing to the presumption of a lack of capacityandunderstandingrequiredtobeguiltyofacriminaloffence.Thejuveniledelinquentrehabilitative model focuses on the counseling/guidance/treatment of the offender with the assumption that interventions such as probation supervision, work readiness, in circulation, training, cognitive skills training and behavior therapy will change behavior and reduce the frequency of juvenile offenses. Under the Indian legal scenario, the delinquents are not differentiated on the basis of the in crimes in order to be punished.

In a civilized society, the welfare of the child is considered to be paramount and the State can never overlook the most valuable asset of the nation- The Child. So the State is obliged to protect this asset from abuse and exploitation. Every necessary step is to be taken by the State for the proper growth and development of children. To protect them from many kinds of abuses and exploitation the Government had passed many legislations dealing with juveniles and State has established many courts and boards for proper implementation of various law which are enacted by the legislation. The courts have contributed a lot in the field of juvenile justice by interpreting various legislative enactments which are enacted for the benefit of the juvenile delinquents and expressed great concern relating to proper implementation of the beneficial provisions of law relating to children

In the last few years, it is also observed that the crimes done by children under the age of 15-16 have increased significantly. The general tendency or the psychology behind the commitment of the crime or the causes of crime are early-life experiences, dominant masculinity, upbringing, economic havocs, lack of education, etc. It is a matter of ignominy that the children under the age of 6-10 are nowadays used as instruments for carrying out unlawful or illegal activities. Since the minds of the kids possess an innocent and manipulative character, they can be lured at a meager cost

The frightful incident of " *Nirbhaya Delhi Gang Rape Case",* on December 16, 2012 shocked the whole nation and many debates were started among legal fraternity and socialists. The main reason and issue of the debate was the involvement of accused, who was just six months short to attain the age of 18 years. The involvement of the accused in such a heinous crime of rape forced the Indian Legislation to introduce a new law and thus, Indian Parliament came up with a new law which is known as " Juvenile Justice (Care and Protection), 2015.

Children are the greatest gift that has been bestowed upon humanity. They are the pillars on which the foundation of tomorrow is laid. They are useful human resources that can lead to the progress and development of a country. A healthy and educated child of today is the active and intelligent citizen of tomorrow. Therefore, an important duty on the part of the State is to provide proper care and protection to children because the future of a nation depends on the physical and mental well - being of the children. Hence, it may be mentioned that the idea of social justice became a political doctrine of all the States and it was incorporated in their Constitutions particularly of those States that became independent after the Second World War.

2). DEFINITIONOF "CHILD"AND "JUVENILE"INVARIOUS LAWS

The word Juvenile originates from a Latin 'Juvenis' that means young. Generally, a child refers to a person who has not attained the age of 18 and is not mature enough to understand what is right and what is wrong. Today, the penal laws of most countries have adopted the principle of "*Doli in capax*" which means a child is incapable of forming the criminal intent to commit an offense.

According to Section2(12) of The Juvenile (Care and Protection) Act,2015,a child means a person who has not completed eighteen years of age. The Act classifies the term child in to two categories:

- Child in conflict with law
- Child in need of care and protection

A child who has committed an offense and is under 18 years of age on the date of the commission of the offense is basically called a child in contravention of the law.
The second sub-category child in need of care and protection means a child defined undersection14 of the Act.

- The Mines Act, 1952 is the significant trade-related act that depicts an adult as a man who has completed eighteen years of age(thusly a child is a man who has not completed eighteen years of age).
- According to Section 2e of the Children Act, 1960 — child means a boy who has not attained the age of sixteen years or a girl who has not attained the age of eighteen years.
- The Child Labor (Prohibition and Regulation) Act, 1986 defines a child as a man who has not completed fourteen years of age.
- According to international law, 'child 'means every person under the age of 18 years. This is the universally accepted definition of 'A child' and comes from the United Nations Convention on the Rights of the Child (UNRCC), an international legal instrument that has been accepted and ratified by most countries.

Difference between "Juvenile" and "Child"

A person under the age of full legal obligation and responsibility is a minor or a person who is below the legal age of eighteen years is minor. A child being accused of a crime is not tried as an adult and is sent to the Child Care Centre whereas juvenile is a person between the age group of sixteen and eighteen years. A young person who is been accused of crime is a juvenile offender and is tried as adult in court proceedings.
In general sense both the term has same meaning but however difference lies in context of implications in the eyes of law. Minor implies young and teen persons whereas juvenile either indicates immature person or young offenders.

3). DELINQUENCY

Definition and Nature Delinquency is an unwelcome action of a child, which is socially not permitted in society. A juvenile delinquent is a disorder which Is defined as–a child acting like an adult‖ . The action of the child may seem to be very foolish but actually it's amatterofseriousconcern.Itisbelievedthatdelinquencyisconsideredonlywhenthebehavior of the child is harmful. Frederick B. Sussmann, who wrote a book on ―Law of Juvenile Delinquency presented a list of acts or conditions included in delinquency definitionas–infringementofanylaworordinance,habitualabsence,alliancewiththieves,brutalor immoral persons, And beastly beyond authority of parent or guardian.

4).CAUSESOFCHILDDELINQUENCY

Juvenile delinquency takes place at different places, and it may vary in degree. The child ,being the future of the country, should be given a good environment in which he/she can nurture himself/herself. Nowadays, juveniles are engaging in various serious offences like rape, murder, dacoits, theft, and robbery. There are innumerable causes behind the psychic of a delinquent child which is further defined in two broad categories:

I. BIOLOGICALCAUSES

1) **Ocular Ailments-** It is a disease of retina which can result in the loss of vision. It leads to irritability and discomfort which will further hamper them in leading a moral life.
2) **Hearing Problem-** deafness or incapability of hearing leads to the incapability to do any work properly which further leads to anti social behavior.
3) **Excessive Strength-** A child who is possessed with excessive strength and his mental trait being uncultured will lead to the imbalance in the body which will further encourages child to do a crime.

II. SOCIETALANDENVIRONMENTAL CAUSES

I. **Cultural Conflicts-** The urbanization and modernization have resulted in drifting ofpeoplewhichhasfurtherledtotheconflictbetweentheimmigrantsandtheinhabitants. India also played as a victim of cultural conflict during the time of Indo-Pak partition in 1947, where the immigrants from Singh settled down in India and resulted into a massive increase in the crime rate.

II. **FamilyBackground-**
*Sutherland*saidthat―thefamilybackgroundhasgreatestinfluenceonthecriminalbehaviorof offenderorJuvenile.TheChildrendivertthemselves towards criminal tendencies, if they find their parents or members of the family behaving in the similar manner A child who is grown up in a hostile aggressive parenting atmosphere becomes an easy prey to criminality‖

III. **Socio-Economic Condition-** Nowadays, money is a parameter to judge a person‘s societal status. Everyone around is so busy in earning that the parents are not been able to look after their wards which further leads a child to in deluge in illegal activities.

IV. **Neighborhood-** One thing leads to another, as the parents/guardians are busy in their own livelihood, the bad influence of neighbors’ also tend to destroy the genesis of a child.

V. **Trend of Alcoholism-**it has become a fashion among the youth to have a shot of vodka. Generally, it is the reason for a fight amongst the Husband and the Wife, which leads a bad impression on the child. It is necessary to keep a discipline in the home

For the proper upbringing and to create a friendly atmosphere for a child. The family should take care of child otherwise they might be in dulging in commission of offence

VI. **Peer Pressure-** The behavior of an individual usually depends upon the peers. Gangs act as a contributory factor towards the commission of a crime. If a child remains with other delinquents then he will be more prone to the criminal activities which he could not think of alone.

VII. **Cinema and Social Media-** cinema and social media plays an important role in the overall development of a person. What they watch on social media and television they try to do in their real life also. The parents must pay attention to their children, they should not refrain from watching any content but rather they should try to in collate some moral values in the children.

VIII. **SignificanceofSchool-**Theschoolplaysasignificantroleintheupbringingofachild, it is the school where the child has the closest relation with other children for such a long time. School is usually thought as a constructive agency but when it fails) to perform its designated functions, it may become by virtue of its negligence, a main contributor to delinquency.

5). Provisions under Indian statutes regarding the Juvenile Justice laws in India

1). Constitutional Provisions

The Constitution of India provides a comprehensive study and understanding of child rights. State owes special care and protection towards them and therefore constitution of India has provided with several rights dealing with their liberty, development and care, nondiscrimination, educational rights, etc. It is further supported with comprehensive legal regime. *Article 15(3)*, which provides the state to make special laws for women and children. *Article 39(f)* was inserted in the Constitution of India by the *42nd Amendment Act*, provides that the children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and they must be protected against exploitation and against moral and material abandonment .*Article 47*, which imposes a duty on the State to raise the level of nutrition and the standard of living to improve public health.

2). Indian Penal Code and Code of Criminal Procedure(CrPC) Provisions

Indian Penal Code provides different provisions for the protection of child. According to Section 82 of the Indian Penal Code, it says "Nothing is an offence which is done by a child under seven years of age". Under the age of 7 years, no infant can be guilty of a crime; for, under that age an infant is, by presumption of law, "*doli incapax"*, and cannot be endowed with any discretion. Section 83 provides an act of a child above seven and under twelve of immature understanding. Where the accused is a child between 7 and 12 years of age, the capacity to commit an offence only arises when the child has attained sufficient maturity of understanding to judge the nature and consequences of his conduct.

Section 27 of CrPC, provides that any person who at the date of appearing before the court is under 16 years of age is not punishable with death or imprisonment for life. According to Section 318 of CrPC where the accused does not understand the proceedings (though not of unsound mind) the court can have the inquiry or trial, in case of a court other than High Court if the proceedings result in conviction, the proceedings shall be forwarded to the High Court with the circumstances of the case and the High Court shall pass the order as it thinks fit.

3). Juvenile Justice (Care & Protection of children) Act,1986

The Juvenile Justice Act,1986 was the first act regarding the care and protection of children which was uniform all over the country. While it retained the scheme and primary features of The Children Act,1960. The age of the juvenile remained the same as it was mentioned in the Children Act, 1960. The new feature which was introduced under this act was that the juveniles were divided into two broad categories: (a) Delinquent Juveniles (b) Neglected Juveniles. Both the children were to be kept in "Observation Homes" as long as their inquiries are pending.

The Juvenile Justice (Care & Protection) Act, 1986 was replaced by Juvenile Justice (Care & Protection) Act, 2000 because the previous act did not provide the wider scope on "Delinquent Juveniles" and "Neglected Juveniles".

4). Juvenile Justice (Care & Protection) Act, 2000.

The Juvenile Justice Act,2000 provides two main broad categories named as “child in conflict with law” and “child in need of care and protection” which the JJA,1986 failed to do. It lays down that the “child in conflict with law” must be kept in observation homes and “child in need for care and protection” must be kept in the children home during the pendency of their proceedings.

A revolutionary change made by the JJA, 2000 is the establishment of Children’s Court known as Juvenile Justice Board (JJB). It constituted of a bench of one Magistrate and two social workers.

Juvenile Justice Board have the jurisdiction to decide:

- Determination of the age of a juvenile.
- Grant of bail.
- To determine whether the child has committed the alleged offence or not.
- To pass the appropriate orders regarding the same.

Challenges to Juvenile Justice Laws in India

- Section 4(2)(viii) provides child in need of care and protection for those who have been tortured, abused and exploited for the purpose of sexual abuse. The section provides protection for children but ignores the one who have faced the sexual abuse in the past. It grossly affects the mind of the child which leads to social stigma.
- According to Section 2(5) defines the word “aftercare” to provide them financial support to persons who have completed the age of 18 years but are less than 21 years of age. But the following problems could have enumerated against the proper results of after-care institutions[1]:

1. Lack of finances.
2. Stigma in institutalization.
3. Unconsciousness of society towards the aftercare programme.
4. Noncompliance of parents in the after care plan.
5. A little inter-relationship between the juveniles and the after-care workers.

- According to Section 21 of the Act, after attaining the age of 21, the Children’s Court may decide if the child has undergone the reformative changes and needs to be released or he should be transferred to a jail. This provision is in violation of article 20(1)of the Indian Constitution and also by keeping a 21 year old adult with hardened criminals will make a child like them and this will not serve the purpose of Reformative Theory.
- According to Section 16 of the Act, the heinous offence committed by a child who has completed the age of 16 years, the Juvenile Justice Board shall conduct the inquiry about the physical and mental state of the child and then only the Board will decide whether to dispose of the case or to start a trial. The foremost flaw with the section is it implies an assumption that the child is guilty of an offence and a clear infringement of Article 14 and 21 as prescribed under Part III of the Indian Constitution, as the procedure is arbitrary and irrational.

6).Child and his age as stated in various Enactments:

1). The Child Labour (Prohibition and Regulation) Act, 1986: According to the Act, the individuals who are 14 years or below are considered to be children

2). The Factories Act of 1948 and the Plantation Labour Act, 1951: According to this Act, an individual who has not attained the age of 15 years is considered as a child. An individual who is between 15-18 years of age is considered as an adolescent. The adolescents can work in factories for utmost 4 and half hours a day, till they are declared medically fit.

3). The Motor Transport Workers Act, 1961 and Beedi and Cigar Workers (Conditions of Employment) Act 1966: According to these Acts, any individual below 14 years of age is considered as a child.

4). The Merchant Shipping Act, 1958 and Apprentices Act, 1961: These Acts have put forth some limitations on employment of children below 14 years of age.

5). The Mines Act, 1952: As per this Act, individuals who have completed 18 years of age are considered as adults, thus making it clear that those who have not attained this age will be considered as children.

6). Prohibition of Child Marriage Act, 2006: As per this Act, the age of majority is set at 21 years for the males and 18 years for the females.

7). The Indian Majority Act, 1875 and Guardians and Wards Act of 1890: According to both the Acts, the majority is reached on completion of 18 years of age.

8). The Hindu Minority and Guardianship Act of 1956 and the Hindu Adoption and Maintenance Act of 1956: This Act is in line with personal laws of Muslim, Christian and Zoroastrian that also supports the 18 years of age as the upper bracket for attaining majority.

9). The Juvenile Justice Act of 1986: The Act considers boys below 16 years and girls below 18 years of age as children.

10). The Juvenile Justice (Care and Protection of Children) Act, 20004 : However, in the modified JJ Act of 2000, the age for defining a child was raised to 18 years for both the genders.

Many professionals consider and are in support of considered 18 years as the legal definition of a child in all matters, because of its universal acceptance.

7).PROVISIONS RELATING TO JUVENILE.

In spite of the long journey of Juvenile Law i.e. the Children Act, 1960, the JJ Act, 1986,the JJ act, 2000 and the JJ Act, 2015, the Government of India through Parliament also enacted at different point of time various social legislation, for the protection and development of the children. These are following:

1) Guardian and Wards Act, 1890.
2) Factories Act, 1948, for regulations of work by children between the age group of 14 to 18.
3) Hindu Adoption and Maintenance Act, 1956.
4) Probation of offenders Act, 1958.
5) Bombay prevention of Begging Act, 1959.
6) Orphanages and Other Charitable Homes (Supervision and Control) Act, 1960-to provide for the supervision and control of orphanages, homes for neglected children and like institutions and to penalize criminal activities indulged in such institutions.
7) National Policy for Children, 1974.
8) Child Marriage Restraint Act, 1929 - with a view to preventing child marriage.
9) Immoral Traffic (Prevention) Act, 1956- for Suppression of Immoral Trafficking Women and Girls.
10) Child Labour (Prohibition and Regulation) Act, 1986 - To ban employment of children in specified occupations and processes.
11) National Policy on Child Labour, 1987.
12) SC/ST (Prevention of Atrocities) Act, 1989.
13) Young Persons (Harmful Publications) Act, 1956 - the Act seek to prevent the dissemination of publications, which are harmful to young persons.
14) Prevention of Illicit traffic in narcotic Drugs and Psychotropic Substances Act, 1987.
15) Infant Milk Substitutes, Feeding Bottles and Infant Foods (Regulation of Production, Supply and Distribution) Act, 1992and its Amendment Act 2003.
16) National Nutrition Policy, 1993.
17) Transplantation of Human Organ Act, 1994.
18) Pre-natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994.
19) Information Technology Act, 2000.
20) Persons with Disabilities (Equal Protection of Rights and Full Participation) Act, 2000.
21) National Health Policy, 2002.
22) National Charter for Children, 2004
23) National Plan of Action for Children, 2005 Commission for the Protection of Child Rights Act, 2005 (8)
24) Prohibition of Child Marriage Act 2006

But After these several enactments the situation of juveniles in every expectation is very worst. Education, nutrition, health, economic and social conditions regarding juvenile is not reasonable. The lacuna regarding above-stated problem is one of the major concern of all contemporary study on Juvenile.

WHAT ARE CHILD RIGHTS?

A benefit is an essential or contract developed between the persons who hold a benefit(consistently implied as the "rights-holders") and the persons or associations which then have responsibilities and commitments in association with the affirmation of that benefit (as often as possible suggested as the "Commitment bearers".) Child rights are specific human rights that apply to each and everypersonundertheageof18years.

For the most part, child rights are described by the United Nations and United Nations Convention on the Rights of the Child (UNCRC). As showed by the UNCRC Child Rights are slightest capabilities and opportunities that should remain to all persons under the age of18 paying little notice to race, shading, sexual introduction, vernacular, religion, evaluations, sources, wealth, birth status or limit and thus apply to all people all around. The UN find these rights related fearless, inferring that a benefit cannot be fulfilled to the impairment of another benefit.

The inspiration driving the UNCRC is to plot the principal human rights that should have remained to youths. There are four far-reaching game plans for these rights. These four arrangements cover Alular, political, social, money related and social benefits of every child.

RighttoSurvival: Achild'sprivilegetosurvivalbeginsbeforeatykeisimagined.Asdemonstrated by Government of India, a tyke life begins taking after twenty weeks of the start. Thus, the benefit to survival is far reaching of the adolescent rights to be imagined, the benefit o minimum measures of sustenance, safe house, and clothing, and the benefit of living with deference.

Right to Protection: An adolescent has the benefit to be protected from carelessness, abuse and mistreatment at home, and elsewhere. Right to Participation: An adolescent has a benefit to sharing in any essential authority that incorporates
him/her direct or roundabout. There are changing degrees of the venture as indicated by the age and improvement of the child.

Right to Development: Children have the benefit of a wide range of headway: Emotional, Mental, and Physical. Enthusiastic change is fulfilled by authentic care and love of a candidlysteadysystem,mentalheadwaythroughpreparingandlearningandphysicalchangethrough stimulation, play, and sustenance.

WHAT IS CHILD PROTECTION?

UNICEF considers youth confirmation as the shirking of or responding to the event of abuse, misuse, viciousness and nonchalance of children. This joins business sexual misuse, trafficking, adolescent work and dangerous standard practices, for instance, female genital mutilation/cutting and child marriage. Affirmation similarly allows children to have passage to their distinctive benefits of survival, change, advancement and venture. UNICEF keeps up that when kid security misses the mark or is missing youths have a higher peril of death, poor physical and mental prosperity, HIV/AIDS disease, educational issues, movement, vagrancy, vagrancy and poor child raising capacities further not far off.

As demonstrated by the Integrated Child Protection Scheme (ICPS) Child Protection is about keeping kids safe from a threat or saw the risk to their lives or pre-adulthood. It is about seeing that children are exposed and, in this way, decreasing their feebleness by protectingthemfromharmfulandriskycircumstances.Childaffirmationisaboutensuringthatadolescents have a security net to depend on upon, and in case they happen to fall through the holes in the system, the structure has the commitment to give the child the critical thought and rebuilding to bring them over in to the prosperity net.

8). STATEMENTOFPROBLEM

The statement of problem may be categorized as follow:

(i) Growthofachilddependsontheupbringingwhichhegetsinthefamilyandinthesociety.

(ii) Thesurroundingsandatmospherefromwherethechildbelongsarethemostvaluablein their life.

(iii) Thereisgrowingproblemthattodaymostofjuvenilesaredevelopingdelinquenttendencie sandgettinginvolved in Law-and-order problems.

(iv) The general observation is that criminality or delinquency peaks in adolescence and diminishes with age.

(v) Thepatternofcrimesiscommonacrosshistorical,geographicalandculturalcareer.

9).SIGNIFICANCES OF STUDY

In India juvenile delinquency is a huge problem and also to the world. There is the fact that "if today's delinquent child not appropriately taken care then tomorrow he can be a hard-core criminal". Criminal behavior or delinquency among the children can be controlled before they become serious danger to the society and nation. The data provided by various authorities/agencies from time to time show a rising trend in the incidents of crime by the juveniles. A thorough study needed based on various facts and causes leading to delinquencies also provide the answer to the problem of the delinquent child.

TheJuvenileJusticeActwasimportantasitstrengthensthelawrelatedtothepunishment and trial of minors in the commitment of crimes. It also ensures the proper care of children by providing them with adequate treatment, care, counseling, etc.
Children are viewed as the nation's most valuable resource, as the future of the nation lies in the hands of the Children. Minorities under the age of 18 who are accused of any criminal act are typically processed through a juvenile justice system.
The juvenile justice system is very important because it gives young offenders who are less than 18yearsasecond opportunity at life and gives them a better future.
Inadditiontopreservingpublicsafety,thefundamentalobjectivesofthejuvenilejustice system include the successful reintegration of adolescents into society and the development of skills, habilitation, and rehabilitation.

10). SCOPEOFSTUDY

The research study is not only intended to examine in detail the provisions of the juvenile justice legislation in India which developed through successive stages of history. But also intended to examine in detail the provision of international instruments.

This proposed study is intended to present the fact that the major provisions of juvenile justice system were substantially present in various children Acts, the children Act 1960. The Juvenile Justice Act 1986 and the Juvenile Justice (Care and protection of Children) Act 2000,AndtheJuvenilejusticeAct 2015.

11). HYPOTHESIS

I. Juvenile Justice Act is hindered by factors such as inadequate infrastructure, resource constraints, and varying capacities of different states, impacting its overall impact on juvenile justice.

II. JuvenileJusticeActsysteminIndiadoesnothavestrongdeterrenteffectontheantisocialbehavior of youth.

III. The factors influencing vulnerability and the delinquency among children, enhances threat of omission of offences.

IV. Ongoing failure of a system presupposes, existence of some stumbling blocks in the proper implementation itself. Therefore, this study adopts the hypothesis that there are some other major stumbling blocks in the effective implementation of juvenile justice system in India.

12). OBJECTIVES

1. To study a micro-level examination of the historical, executive and judicial process relating to juvenile justice in India.
2. To study of the causes of juvenile delinquency and to discuss the problem of juvenile delinquency in sociological and criminological prospective.
3. To find out the strength and weakness of the existed legislation.
4. To study the International treaties conventions and declarations relating to children and juvenile delinquency.
5. To identity and analyze within the socio-legal framework the actuality of juvenile delinquency, the recent trends and patterns of such behavior and the lacuna existing in such mechanism
6. To make presentation of rational, scientific and realistic suggestions for formulations and implementation of various plans, programs and schemes for overall welfare and rehabilitation of child in conflict with law and child in need of care and protection.

13). METHOD OF DATA COLLECTION

- Online data
- Report commission
- Bare acts
- Research journal
- Books
- Research article

14). RESEARCHMETHODOLOGY

IamgoingtoconductmyresearchinIndia.Myresearchis"Doctrinalresearch"soIam going to study secondary source of data, I am referring the data from number of websites, law books, law journals, research articles and judgment of SC and HC relating to juvenile justice act.

Theresearchmainlyfocusesonlawrelatedtoprotectionofchildrenandrehabilitationprocessunderjuvenilejusticesystem regarding analysis.

For making the study more fruitful the research work undertaken in the present study is doctrinal research which involves the collection of material from primary and secondary sources like various statues, Indian and foreign books of various authors and articles found in journals and websites. Attempt will be made to use fact and information already available. Regarding the analysis of legal provision social statues of juvenile the method to be applied will be analytical. The study shall be conducted to understand the historical background of juvenile justice system in India, and its implementation in present scenario. A comprehensive study to be conducted through the statutes, websites, journals, newspapers and Books.

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16). TENTATIVE CHAPTER SCHEME

Chapter1.Introduction

Chapter2.Theoretical study of juvenile

Chapter 3. International perspective

Chapter 4. National

perspectivesChapter5.Judicial

contribution

Chapter6.Conclusion and Recommendation's

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